IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE CIVIL JURISDICTION

WRIT PETITION NO.3484 of 2004

Dr.Mrs. Jyoti Prafulla Jadhav & Ors..Petitioners

Versus

State of Maharashtra & Anr.....Respondents

Mr. M.S. Topkar, for the Petitioners
Mr. R. Pethe i/b. Mr. R.G. Ketkar, for Respondent No.2.
Mrs. S.S. Bhende, AGP for Respondent No.1.

CORAM: F.I. REBELLO & S.P.KUKDAY, JJ.
DATE : 29th April,2005

. Rule. By consent heard forthwith. After hearing the parties the following facts emerge.

. Against the post of petitioner No.1 one Dr. S.P.Govindwar has been selected. In the order dated April, 21, 2005 it has wrongly been noted that the petitioner No.1 is selected. Considering the fact that against the post held by petitioner No.1 Dr.Govindwar is selected the petitioner would not be entitled to any protection and will have to vacate the post on Dr.Govindwar being appointed and assuming office.

2. The petitioner No.2 has resigned and consequently there is no question of granting any relief.

3. In so far as the petitioner Nos. 3 and 4 are concerned, no suitable candidates were found after advertisement. In the light of that the petitioner Nos. 3 and 4 to continue till such time as the posts are filled in by regular candidates duly selected after following the due procedure.

4. In so far as the petitioner Nos.5,6, and 7 are concerned, other candidates have been selected against the said posts. Once that be the case the petitioners will have to vacate the posts on the candidates selected against their posts being appointed and assume office.

5. Rule made partly absolute accordingly. No order as to costs.

6. In the event there are any vacant posts, then the respondents can consider appointing the said petitioners who will cease to be in employment on a temporary basis till regular candidates are appointed to those posts.

(F.I.REBELLO, J.)

(S.P. KUKDAY, J.)